

FILED

BEFORE THE BUREAU OF REAL ESTATE

NOV 21 2014

STATE OF CALIFORNIA

BUREAU OF REAL ESTATE

By K. Contreras

In the Matter of the Accusation of)
)
ALLIANCE PROPERTY MANAGEMENT)
GROUP, INC., a Corporation, and)
LANCE DEAN MILLER,)
)
Respondents.)

NO. H-6074 SAC

DECISION

This Decision is being issued in accordance with the provisions of Section 11520 of the Government Code, on evidence of compliance with Section 11505 of the Government Code and pursuant to the Order of Default filed on October 31, 2014. The Findings of Fact set forth herein are based on one or more of the following: (1) express admissions; (2) affidavits; and/or, (3) other evidence as to ALLIANCE PROPERTY MANAGEMENT GROUP, INC. (herein "ALLIANCE") and LANCE DEAN MILLER (herein "MILLER") (herein collectively "Respondents").

This Decision revokes Respondents ALLIANCE and MILLER's real estate licenses on grounds of the failure to provide books, records and other documents to the California Bureau of Real Estate (herein "Bureau"), failure to maintain a definite place of business and failure to notify the Bureau of a change in the location or address of its principal place of business.

The right to reinstatement of a revoked real estate license is controlled by Section 11522 of the Government Code. A copy of Section 11522 and a copy of the Commissioner's Criteria of Rehabilitation are attached hereto for the information of Respondents.

FINDINGS OF FACT

1

On January 21, 2014, Tricia Sommers made the Accusation in her official capacity as Deputy Real Estate Commissioner of the Bureau. The Accusation, Statement to Respondent, and form for the Notice of Defense were mailed, by certified and regular mail to Respondents at their mailing addresses on file with the Bureau on January 23, 2014.

On February 6, 2014, a Notice of Defense was received by the Bureau for Respondents herein within the time prescribed by Section 11506 of the Government Code.

On February 27, 2014, a Notice of Hearing was filed, setting the hearing for October 27, 2014, in Sacramento, California. Said notice was mailed to Respondents at the mailing addresses on file with the Bureau on February 27, 2014.

On October 27, 2014, Respondents failed to appear for the scheduled hearing which resulted in a default being entered and a Default Order was filed herein on October 31, 2014.

2

At all times herein mentioned, Respondents were and now are licensed and/or have license rights under the Real Estate Law (Part 1 of Division 4 of the Business and Professions Code) (herein "the Code").

3

At all times herein mentioned, ALLIANCE was licensed by the State of California Bureau of Real Estate (herein the "Bureau") as a corporate real estate broker by and through MILLER as designated officer-broker of ALLIANCE to qualify said corporation and to act for said corporation as a real estate broker.

4

At all times herein mentioned, MILLER was and now is licensed by the Bureau as a real estate broker, individually and as designated officer-broker of ALLIANCE. As said designated officer-broker, MILLER was at all times mentioned herein responsible pursuant to Section 10159.2 of the Code for the supervision of the activities of the officers, agents, real estate licensees, and employees of ALLIANCE for which a license is required.

5

Whenever reference is made in an allegation in this Decision to an act or omission of ALLIANCE, such allegation shall be deemed to mean that the officers, directors, employees, agents and/or real estate licensees employed by or associated with ALLIANCE committed such act or omission while engaged in the furtherance of the business or operations of such corporate respondent and while acting within the course and scope of their authority and employment.

6

At all times herein mentioned, Respondents engaged in the business of, acted in the capacity of, advertised, or assumed to act as real estate brokers within the State of California on behalf of others, for compensation or in expectation of compensation within the meaning of Section 10131(b) of the Code in the operation of a property management business with the public wherein Respondents leased or rented or offered to lease or rent, placed for rent, or solicited listings of places for rent, or solicited for prospective tenants, or collected rents from real property or improvements thereon.

7

On about June 25, 2012, Respondents failed to make available, after notice from the Bureau, books, accounts, records, and other documents executed or obtained in connection with any transactions for which a real estate broker license is required, for examination, inspection and copying by the Commissioner or his designated representative during regular business hours, in violation of Section 10148 of the Code.

On about August 7, 2012, Respondents failed to maintain a definite place of business serving as its office for the transaction of business in the State of California, in violation of Section 10162 of the Code and failed to notify the Bureau of a change in the location or address of its principal place of business no later than the next business day following the change, in violation of Section 2715 of Title 10, Chapter 6 of the California Code of Regulations (herein the "Regulations").

DETERMINATION OF ISSUES

1

The facts alleged above are grounds for the revocation of the licenses and license rights of Respondents under the following provisions of the Code and Regulations:

- (a) as to Paragraph 7, under Section 10148 of the Code, in conjunction with Section 10177(d) of the Code; and
- (b) as to Paragraph 8, under Section 10162 of the Code and Section 2715 of the Regulations, in conjunction with Section 10177(d) of the Code.

2

The standard of proof applied is clear and convincing evidence to a reasonable certainty.

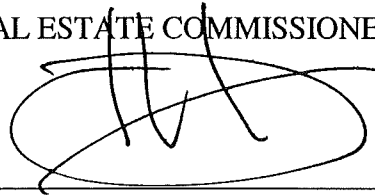
ORDER

The real estate licenses and license rights of Respondents ALLIANCE PROPERTY MANAGEMENT GROUP, INC., and LANCE DEAN MILLER under the provisions of Part I of Division 4 of the Business and Professions Code are hereby revoked.

This Decision shall become effective at 12 o'clock noon on DEC 11 2014.

DATED: NOV 19 2014

REAL ESTATE COMMISSIONER



By: JEFFREY MASON
Chief Deputy Commissioner

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2 1651 Exposition Blvd.
3 P. O. Box 137007
4 Sacramento, CA 95813-7007

5 Telephone: (916) 263-8670

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OCT 31 2014

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ORDER OF DEFAULT

17 Respondents ALLIANCE PROPERTY MANAGEMENT GROUP, INC. and
18 LANCE DEAN MILLER having been duly served with a Notice of Hearing and having failed to
19 appear on October 27, 2014, at the scheduled time and place of hearing are now in default. It is,
20 therefore, ordered that a default be entered on the record in this matter as to Respondents
21 ALLIANCE PROPERTY MANAGEMENT GROUP, INC. and LANCE DEAN MILLER.

22 IT IS SO ORDERED October 29, 2014.

23 WAYNE S. BELL
24 Real Estate Commissioner

25 By:

Joe M. Carrillo
26 JOE M. CARRILLO
27 Regional Manager